

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

JASON L. BROWN	:	
Plaintiff	:	CIVIL ACTION NO. 3:19-405
v.	:	(JUDGE MANNION)
COMMONWEALTH OF PENNSYLVANIA	:	
Defendant	:	

ORDER

Presently before the court is the report and recommendation (“Report”) of Magistrate Judge Susan E. Schwab ([Doc. 3](#)), which recommends that this case be dismissed for lack of jurisdiction. Neither party has filed objections to the Report. Upon review of the Report and related materials, the Report of Judge Schwab will be **ADOPTED IN ITS ENTIRETY**.

When no objections are made to a report and recommendation, the court should, as a matter of good practice, “satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” [Fed.R.Civ.P. 72\(b\)](#), advisory committee notes; see also [Univac Dental Co. v. Dentsply Intern. Inc.](#), 702 F.Supp.2d 465, 469 (2010) (citing [Henderson v. Carlson](#), 812 F.2d 874, 878 (3d Cir. 1987) (explaining judges should give some review to every Report and Recommendation)). Nevertheless, whether timely objections are made or not, the district court may accept, not accept

or modify, in whole or in part, the findings or recommendations made by the magistrate judge. [28 U.S.C. §636\(b\)\(1\)](#); [M.D.Pa. L.R. 72.3](#).

On March 7, 2019, the plaintiff filed a notice of removal, which appears to request an appeal of a previous denial of an appeal by the Supreme Court of Pennsylvania. ([Doc. 1](#)). A federal district court may not exercise appellate jurisdiction over state-court judgments. This court finds that Judge Schwab used proper reasoning and evidence to support her Report and arrive at a legally-sound conclusion. As such, Judge Schwab's Report is adopted in its entirety as the opinion of this court.

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

- (1)** the Report of Judge Schwab ([Doc. 3](#)) is **ADOPTED IN ITS ENTIRETY**;
- (2)** the above-captioned case is **DISMISSED** for lack of subject-matter jurisdiction;
- (3)** the Clerk of Court is directed to change the parties listed on CM/ECF to reflect the caption above; and
- (4)** the Clerk of Court is directed to **CLOSE THIS CASE**.

s/ Malachy E. Mannion

MALACHY E. MANNION
United States District Judge

DATE: April 9, 2019

19-405-01